

Board Administration and Regulatory Coordination Unit

Division 3. Air Resources Board

Chapter 2. Enforcement of Vehicle Emission Standards and Surveillance Testing

Article 2.2. Procedures for In – Use Vehicle Ordered Recalls

§ 2130. Capture Rates and Alternative Measures.

The manufacturer shall comply with the capture rate specified in the recall plan as determined pursuant to Section 2125(b)(6), above, within six consecutive quarters beginning with the quarter in which the notification of vehicle or engine owners was initiated. If, after good faith efforts, the manufacturer cannot correct the percentage of vehicles specified in the plan by the applicable deadlines and cannot take other measures to bring the engine family or test group into compliance with the standards, the manufacturer shall propose mitigation measures to offset the emissions of the unrepaired vehicles within 45 days from the last report filed pursuant to Section 2133(c), below. The Executive Officer shall approve such measures provided that:

(a) the emission reductions from the recalled and repaired vehicles or engines and the mitigation measures are equivalent to achieving the capture rate; and

(b) the emission reductions from the mitigation measures are real and verifiable; and

(c) the mitigation measures are implemented in a timely manner.

NOTE: Authority cited: Sections 39600, 39601, 43013, 43018 and 43105, Health and Safety Code. Reference: Health and Safety Code Sections 43000, 43009.5, 43013, 43018, 43101, 43104, 43105, 43106, 43107 and 43204-43205.5, Health and Safety Code.

REFERENCE